

Exhibit E

February 12, 2024 Email

From: Chuck Lee <Chuck.Lee@millermartin.com>
Sent: Monday, February 12, 2024 2:48 PM
To: Holly Nease
Cc: Ashley Arnold; Prabhakar, Saurabh; Tabaie, Abe; Extreme@debevoise.com; John.Neukom@skadden.com; Barath, Barbara N.; Demers, Leslie A; Jessica Malloy-Thorpe; Ashley, Matt; Olivia Weber; John L. Wood; Cheryl G. Rice
Subject: Re: SNMP Research, Inc. et al. v. Extreme Networks; Case 3:20-cv-451 CEA-DCP

Dear Ms. Nease:

Unfortunately, Extreme's counsel are unable to travel to Knoxville on February 14 for an in-person hearing. Accordingly, Extreme will proceed with the deposition on February 14, 2024.

Extreme looks forward to the Court's guidance on the disputes presented in the January 5, 2024 submission, and by proceeding with the deposition on the 14th, Extreme is preserving all of its rights for relief on those issues.

Thank you.

Chuck Lee



d (423) 785-8214

f (423) 321-1541

Volunteer Building Suite 1200 | 832 Georgia Avenue | Chattanooga, TN 37402



On Feb 12, 2024, at 12:43 PM, Holly Nease <Holly_Nease@tned.uscourts.gov> wrote:

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Counsel,

The only date that Judge Poplin is available this week is February 14th at 1:30 pm for an in-person hearing. Please advise the Court **by 3:00 pm today**, if the parties would like to schedule this hearing.

Thanks,

Holly S. Nease
Paralegal/Judicial Assistant
United States Magistrate Judge Debra C. Poplin

and United States Magistrate Judge Jill E. McCook
(865) 545-4260

From: Chuck Lee <Chuck.Lee@millermartin.com>

Sent: Monday, February 12, 2024 11:11 AM

To: Ashley Arnold <Ashley_Arnold@tned.uscourts.gov>; Holly Nease <Holly_Nease@tned.uscourts.gov>

Cc: Prabhakar, Saurabh <sprabhakar@debevoise.com>; Tabaie, Abe <atabaie@debevoise.com>;

Extreme@debevoise.com; John.Neukom@skadden.com; Barath, Barbara N.

<bnbarath@debevoise.com>; Demers, Leslie A <Leslie.Demers@skadden.com>; Jessica Malloy-Thorpe

<Jessica.Malloy-Thorpe@millermartin.com>; Ashley, Matt <MAshley@irell.com>; Olivia Weber

<oweber@irell.com>; John L. Wood <JWood@emlaw.com>; Cheryl Rice Esq. <CRice@emlaw.com>

Subject: Re: SNMP Research, Inc. et al. v. Extreme Networks; Case 3:20-cv-451 CEA-DCP

CAUTION - EXTERNAL:

Dear Ms. Arnold and Ms. Nease:

Extreme agrees with SNMPR's request for a brief conference call with the Court before the deposition scheduled on Wednesday, February 14, 2024.

In a January 5, 2024 joint submission, Extreme had requested a protective order for a cumulative time limit of 21 hours for Plaintiffs' 30(b)(6) deposition of Extreme. To date, Plaintiffs have used nearly 19 hours in deposing three Extreme 30(b)(6) designees.

Extreme offered Plaintiffs a reasonable amount of additional time over the 2 hours remaining under Extreme's request to the Court. Plaintiffs declined. Extreme requested that Plaintiffs reschedule the deposition until after the Court decides the pending dispute about 30(b)(6) depositions as this Wednesday's witness, Mr. DeBacker, may be put up for deposition again on additional 30(b)(6) topics depending on how the Court rules on the pending dispute about deposition topics. Plaintiffs declined. Plaintiffs disagreed that they "will be limited to one 7 hour deposition of Mr. DeBacker in the event he is later designated as Extreme's witness on additional topics."

Accordingly, Extreme seeks the Court's guidance on how to preserve Extreme's request for a protective order while allowing the deposition to proceed during the pendency of disputes related to Plaintiffs' 30(b)(6) notice. More specifically, Extreme asks that this deposition be postponed briefly in order to allow the Court sufficient time to address the issues set forth in the parties' January 5th joint statement.

Thanks in advance.

Chuck Lee



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On Feb 12, 2024, at 10:17 AM, Cheryl G. Rice <CRice@emlaw.com> wrote:

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Dear Judge Poplin,

Plaintiffs write to request the assistance of the Court with regard to the deposition of one of Defendant Extreme's Rule 30(b)(6) designees that is scheduled to take place on Wednesday, February 14, 2024. This deposition was, along with several others, scheduled pursuant to the parties' joint report submitted on December 29, 2023. Since submission of that joint report, Plaintiffs have deposed three of Extreme's four 30(b)(6) designees regarding the agreed-upon 30(b)(6) topics in Plaintiffs' deposition notice (there are 18 disputed topics that are currently pending before the Court). The dispute relates to the deposition of Mr. DeBacker, who Extreme has designated on six agreed-upon topics. On Friday February 9 Extreme advised that, in its view, the deposition of Mr. DeBacker should not go forward or should be limited due to Extreme's request for a 21-hour time limit on the Plaintiffs' Rule 30(b)(6) deposition of Extreme, which request is pending before the Court. Extreme also advised that it may designate Mr. DeBacker for some of the 18 disagreed-to topics.

Plaintiffs had planned to fly out tomorrow for the deposition, which is scheduled to occur in San Francisco. Plaintiffs respectfully request a conference call today with the Court to address this issue, because the deposition was difficult to schedule, and Extreme's attempt to unilaterally delay or limit it adversely affects Plaintiffs because their expert reports are due on April 2.

Sincerely,

Cheryl Rice

Cheryl G. Rice, Esquire

Egerton, McAfee, Armistead & Davis, P.C.

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